

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

September 8, 2004

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., September 8, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: **Andy Kunasek, Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5.** Absent: **Fulton Brock, District 1.** Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to approve minutes of meetings held August 5th and 18th, 2004.

FLOOD CONTROL DISTRICT PERSONNEL AGENDA

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to approve the Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

Bethany Home Outfall Channel (Per Resolution FCD 98-12)

Item A002.005, General Warranty Deed from the Flood Control District of Maricopa County to the Salt River Project Agricultural Improvement and Power District. (two (2) copies enclosed for signature)

Item A002.009, General Warranty Deed from the Flood Control District of Maricopa County to the Salt River Project Agricultural Improvement and Power District. (two (2) copies enclosed for signature)

Doubletree Ranch Road Storm Drain Project (Per Resolution FCD 95-03A)

Item 9903.037, Permanent Easement and Agreement for Flood Control Purposes from the Arizona Public Service Company, an Arizona Corporation to the Flood Control District of Maricopa County for the sum of \$1.00.

Property Management – Agua Fria River (Per Resolution FCD 1999R016)

Item A-11007B, Waterline Easement from the Flood Control District of Maricopa County to the City of Avondale for the sum of \$5,565.00.

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71st Street Strom Drain Project (Per Resolution FCD 2002R009)

Item TCE 17519019, Temporary Construction Easement and Agreement for Flood Control Purposes from Anna Ruth Savage, as Trustee to the Flood Control District of Maricopa County for the sum of \$500.00.

71st Street Strom Drain Project (Per Resolution FCD 2002R009) [continue]

Item TCE 17526006, Temporary Construction Easement and Agreement for Flood Control Purposes from Richard Shinsky and Eleanor Shinsky to the Flood Control District of Maricopa County for the sum of \$500.00.

INTERGOVERNMENTAL AGREEMENT AMENDMENT WITH THE CITY OF PHOENIX – CONTINUED

Item: Approve Intergovernmental Agreement (IGA) Amendment FCD 2002A015A to IGA FCD 2002A015 between the Flood Control District of Maricopa County (District) and the City of Phoenix (City) for the Design, Rights-of-Way, and Utility Relocations of the 75th Avenue Storm Drain and Durango Regional Conveyance Channel project (Project #565 - Durango ADMP) (F565). This Amendment is to revise and define the responsibilities of the District and the City for the rights-of-way acquisition for the 75th Avenue Storm Drain and inlets from south of the State Canal to the Salt River. (C6903085201)

The Clerk continued this item to the September 22, 2004, meeting. (Clerk's Note: This was heard in the October 6, 2004 meeting and not in the September 22, 2004, meeting.)

SALE OF EXCESS LAND TO THE TOWN OF GUADALUPE

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to approve the deed on the sale of the Flood Control District of Maricopa County (District) excess land Parcel No. GH-11-EX to the Town of Guadalupe for \$420,000.00, which is the fair market value of the property. This property was approved to be sold as excess land on September 10, 2003 (C-69-04-031-B-00) by the Board of Directors. The Town of Guadalupe has stated an intention to use the property as a publicly sponsored low-income housing project. (C6905019B) (ADM1903-002)

RELOCATION DETERMINATION REVIEW PROCEDURES

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to adopt and approve the Relocation Determination Review Procedures for relocation benefits and assistance for persons or business displaced by a Flood Control District of Maricopa County program or project. (C69050206) (A1910)

TERMINATION OF INTERGOVERNMENTAL AGREEMENT FOR DRAINAGE REVIEW AND ENFORCEMENT WITH PLANNING AND DEVELOPMENT

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to approve the termination of the Intergovernmental Agreement for the provision of drainage review and enforcement with Maricopa County entered into on September 12, 1983 (Agenda Item Public Works FCD-211), effective November 8, 2004 or upon formal transfer of the Maricopa County Drainage Regulation unit to the County Planning and Development Department, whichever is later. The transfer of

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17 FTE positions from the Flood Control District (Dept. 690, Fund 991) to the Planning and Development Department (Dept. 440, Fund 226). Following are the PCNs to be transferred: 20044, 20069, 20085, 20092, 20132, 20148, 20170, 20173, 20198, 20203, 20224, 20306, 20325, 34134, 34681, 34957, 45738. Approve appropriation reductions in the Flood Control District revenue budget in the amount of \$949,905 and the expenditure budget in the amount of \$710,299. \$582,385 will be reduced in Personal Services for the 17 FTE positions transferred. \$127,914 will be reduced in Supplies and Services for those related operating expenditures that will no longer be incurred for drainage regulation. (C69050302YY)

SALE OF EXCESS PARCEL

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County (District) to sell the excess parcel (as listed below) beginning in FY 2004-2005. The District will use its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with A.R.S. § 9-402 and § 48-3603.I. Parcel: NRD-014-3, which is a portion of APN #201-20-004. (C69050276) (ADM1903-002)

CALL FOR BIDS FOR ELLIOT OUTFALL CHANNEL AND CRISMON ROAD CHANNEL

Motion was made by Director Wilson, seconded by Director Stapley, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2004C038, Elliot Outfall Channel and Crismon Road Channel (#442), and to award the contract to the lowest responsible bidder if the bid is not more than ten percent (10%) over the engineer's estimate.

Design of the Elliot Outfall Channel and Crismon Road Channel has been completed and contract FCD 2004C038 will construct those components. Funding for this construction is included in the District's FY 2005 CIP Budget. (C69050315)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

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